

**PUBLIC HEALTH DEPARTMENT[641]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 135M.4, the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 109, “Prescription Drug Donation Repository Program,” Iowa Administrative Code.

The rules in Chapter 109 describe the requirements for medical facilities and pharmacies to accept and dispense donated prescription drugs and supplies and the eligibility criteria for individuals to receive donated prescription drugs and supplies. The proposed rule in Item 2 allows the Department of Public Health to be a local repository for the Prescription Drug Donation Repository Program in disaster and emergency situations.

Any interested person may make written comments or suggestions on the proposed rule on or before June 8, 2010. Such written comments should be directed to Katie Jerkins, Bureau of Health Care Access, Department of Public Health, 321 East 12th Street, Des Moines, Iowa 50319. E-mail may be sent to [kjerkins@idph.state.ia.us](mailto:kjerkins@idph.state.ia.us).

This rule is intended to implement Iowa Code chapter 135M.

The following amendments are proposed.

ITEM 1. Reserve rules **641—109.12** and **641—109.13**.

ITEM 2. Adopt the following **new** rule 641—109.14(135M):

**641—109.14(135M) Prescription drug donation repository in disaster emergencies.** The following are the requirements for the department to receive and distribute prescription drugs and supplies in preparation for a disaster emergency proclaimed by the governor or in preparation for a public health disaster.

**109.14(1)** The department may receive prescription drugs and supplies directly from the prescription drug donation repository contractor and dispense prescription drugs and supplies through licensed personnel during or in preparation for a disaster emergency proclaimed by the governor pursuant to Iowa Code section 29C.6 or during or in preparation for a public health disaster as defined in 2009 Iowa Code Supplement section 135.140, subsection 6.

**109.14(2)** The department may receive and distribute prescription drugs and supplies as defined in Iowa Code section 135.142 to any Iowan who has been a victim of a disaster emergency proclaimed by the governor.